

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2001-436

July 3, 2001

PUBLIC UTILITIES COMMISSION
Delegation Order (Water Utilities)

DELEGATION ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

I. SUMMARY

By this Order, we delegate our authority to the Director of Technical Analysis (the Director) to approve changes in terms and conditions and changes in rates filed pursuant to 35-A M.R.S.A. § 6104, by water utilities. We also delegate our authority to grant waivers of Chapter 81 § 10(C) and Chapter 86 § 7(B). These delegations will allow expedited review and approval. We exercise the authority contained in 35-A M.R.S.A. § 107(4) to delegate powers and duties of the Commission to the Commission Staff.

II. DELEGATION

First, we authorize the Director to approve all changes to terms and conditions proposed by water utilities.

Second, we delegate to the Director the authority to approve rate changes proposed by consumer-owned water utilities that elect to set rates under 35-A M.R.S.A. § 6104, except for any proposed increase that is suspended because it fails to meet the requirements of section 6104 or is suspended or investigated based on a customer petition filed pursuant to 35-A M.R.S.A. § 6104 (7).

Third, we delegate to the Director our authority to grant waivers of Chapters 86 § 7(B) and Chapter 81 § 10(C). Chapter 86 § 7(B) allows a utility to charge a customer an amount not to exceed \$5, if the utility sends an employee to disconnect non-residential service and the customer then makes payment in full. Chapter 81 § 10(C) contains the same provision for residential customers except that it allows a fee not to exceed \$10. A number of utilities have asked to increase the fees to make the fees consistent and to reflect increased costs since the rules were adopted in 1985 and 1986. We authorize the Director to grant such waivers to allow reasonable fees for these services.

Dated at Augusta, Maine, this 3rd day of July, 2001.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.